

REMARKS

The Examiner has maintained his restriction requirement between the non-elected claims 3, 8, 14-16 and claims 1,2, 4-7, 9-13, and 17 on the ground that the elected species is a composition comprising heparin.

However, applicant respectfully traverses the Examiner's restriction requirement on the grounds that amended claim 1 now calls for a catheter having an outer surface and the outer surface has an highly lubricious hydrophilic coating comprising: a mixture of colloidal aliphatic polyurethane, an aqueous dilution of PVP and dendrimers selected from the group consisting of: poly(amidoamine dendrimers, poly(propylene imine) dendrimers, polyether_dendrimers, phenylacetylene dendrimers, chiral dendrimers, and tecto dendrimers, to enhance the physical integrity of the coating, to improve adhesion and to covalently bind or load an agent selected from the group consisting essentially of: an anti-thrombotic drug, heparin, sodium heparin, an antibiotic or a dye, within the dendrimer structure.

Accordingly, applicant traverses the Examiner's restriction requirement on the grounds that claim 1 is now a generic claim.

The Examiner's rejection of claims 1-17 under 35 USC Section 103 for being unpatentable over de Brabander-van den Berg et al. USP 5,998,565 or Froehling et al. USP 6,232,378 or Zhong USP 5,869,127 and Karmi et al. EP 0 496 305 in view of Barry et al. USP 6,663,606, as these rejections may be attempted to be applied to the amended claims are respectfully traversed.

In support of this traverse it is first noted that the de Brabander-van den Berg et al. '565 patent is directed to a composition comprising a plastic and an additive. It is not directed to a catheter or a guidewire.

It appears this patent is concerned with adding a colorant to a plastic using dendrimers. Note that , the assignee, DSM is not a manufacturer of catheters, but rather of sporting equipment.

The Froehling et al. '378 patent is another DSM patent. This patent appears to be directed to a process for incorporating an active substance in a plastic using dendrimers. The active substance is preferably a dye and can be an antioxidant, an antistatic agent etc.

Note that antibiotics or anti thrombotic agents are not mentioned. Nor is there any reference in these patents to catheters or guidewires.

The Zhong '127 patent appears to be directed to the coating of a biomedical device with a bio-active agent using dendrimers. It says nothing about a lubricious coating.

The Karmi et al. EP 496 305 is directed to coating a medical device, such as a catheter with a lubricious material. However there is no teaching of applicant's coating.

The Barry et al. '606 patent is directed to a process for coating a catheter lumen with dendrimers to render the lumen surface inactive relative to a pharmaceutically active material delivered through the lumen. Note that Barry does not coat an outer surface of a catheter with a lubricious material including dendrimers carrying an agent such as a dye, an antibiotic or an anti thrombotic agent.

For the foregoing reasons applicant submits that the amended and new claims distinguish applicants catheter, guidewire and methods for coating same over the prior art of record.

Applicant submits that upon reconsideration of the amended claims and the above remarks it will be clear that the applicant's claimed catheter, guidewire and method of coating an outer surface of same are not at all suggested by or taught by the prior art cited.

Applicant has made an earnest endeavor to place this application in condition for allowance and an early and favorable action to that end is requested.

Respectfully submitted,

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Date


Thomas R. Vigil

Registration No. 24,542

WELSH & KATZ, LTD.
120 SOUTH RIVERSIDE PLAZA
22nd Floor
CHICAGO, IL 60606-3912
Direct Telephone: 1-312-775-0407
Telephone: 1-312-655-1500
Fax: 1-312-655-1501
Email: trvigil@welshkatz.com